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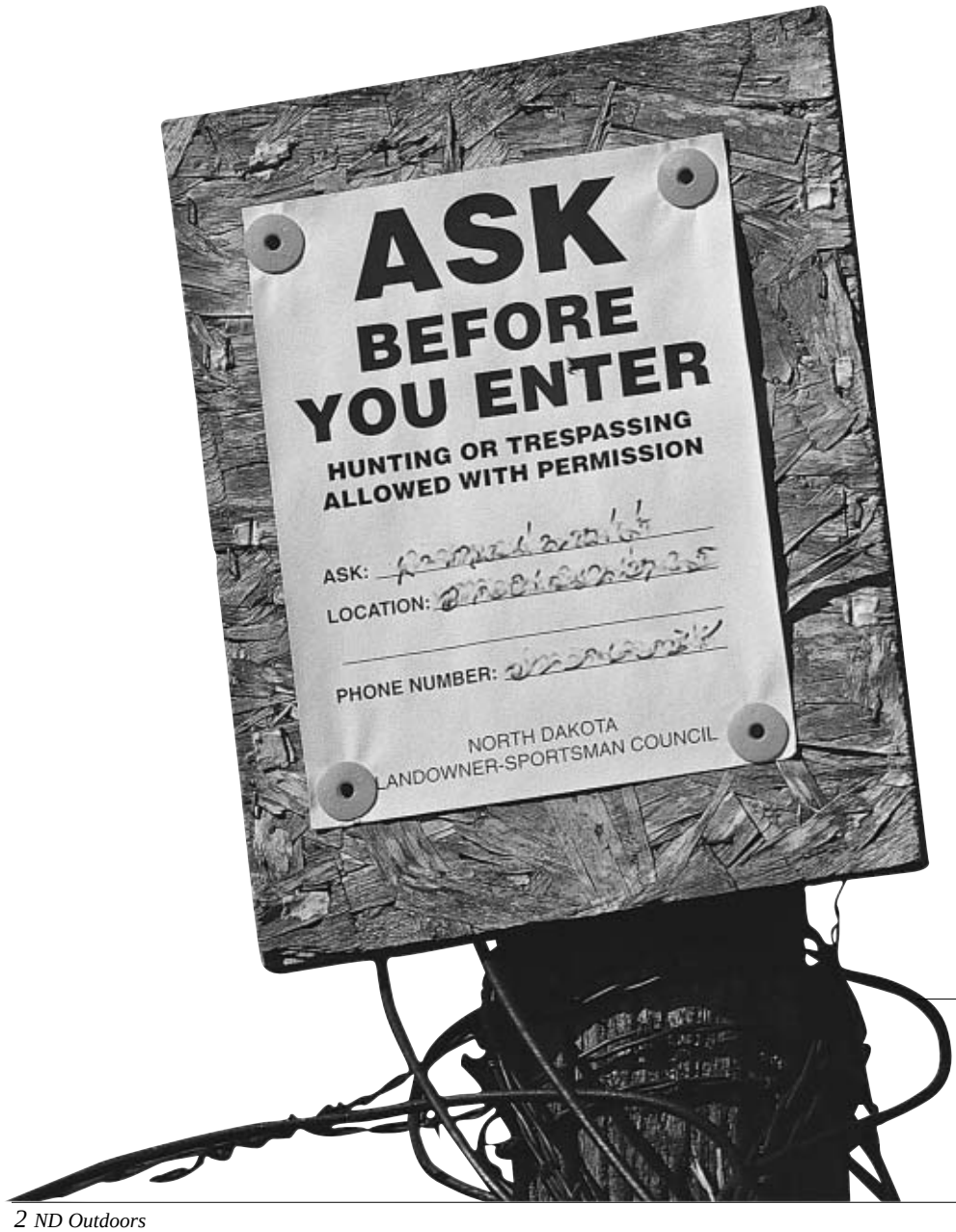
Story and Photos by Craig Bihrle

Just north of the tree grove that frames a rural Towner County house, a duck-covered wetland naturally attracts the attention of hunters passing by in vehicles on the adjacent gravel road. On the fence between the road and the slough is a sign declaring No Hunting or Trespassing and bearing the signature of Tony Galow, the friendly farmer/rancher who lives in the house and tends the cattle and horses in the pasture that surrounds the water.

Hunters frequently stop by the house and ask for permission to hunt in the marsh, and Galow politely tells them "no." It's too close to the house. Not even Galow, a landowner as well as an avid hunter, hunts in that slough.

Some days, four or five groups of hunters stop by to ask permission to hunt. While the land around the farm buildings is off limits, as you might expect, visitors might also learn something else: that Galow has some other parcels of land, well away from the house, that are not "posted" – a long-used term referring to private land in North Dakota that is marked with signs indicating that permission is required before anyone enters. These other quarters of land, which contain wetlands and grain stubble attractive to waterfowl, might be available.

"It's nice when they (hunters) come and ask," Galow says. "You get to visit with a lot of different people … it's just nice to know who's out there."



Left and facing pages: Signs along rural North Dakota roads have different meanings… or do they? One implies that permission for hunting will likely be granted to those who ask first. The other might mean the same thing, or it could mean the landowner doesn't allow hunting at all. The only way to find out is to ask.

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Galow is just one of thousands of North Dakota landowners who allow at least some type of hunting on their land each fall or spring. Each have their own set of circumstances for the way they manage their land.

Signs along a gravel road in rural Burleigh County offer a modern perspective to this tradition long-associated with hunting in North Dakota.

On the west side, stapled to a weathered rectangle of chipboard nailed to a fence post that marks the corner of a quarter-section of land, is a faded poster promoting the words

"ASK BEFORE YOU ENTER
HUNTING OR TRESPASSING
ALLOWED WITH PERMISSION."

On the east side and just down the road stands a similar fence post wrapped in a sign, each with a different message: No Hunting.

The sign on the west side leaves the favorable impression that the land behind it is accessible for hunting to those who have the courtesy to ask.

To the east, the words say something else. The easy assumption is that hunters aren't welcome, so don't even bother asking. That might be correct, it might not. Many hunters, upon seeing such signs, or any signs, won't bother asking, and therefore will never know for sure. They'll drive down the road looking for another place where access might be easier.

That's unfortunate, says Lyle Westbrook, who operates a farm/ranch about 30 miles southeast of Bismarck. An avid hunter himself, Westbrook "posts" his land, as do most if not all of his neighbors. Some neighbors charge access fees, a few lease their land to hunters. Westbrook and others often allow hunting access to people who ask first – they, like Galow, just want to know who's on their property.

In an area close to North Dakota's second largest city, with such a mix of landowner approaches to hunting, it's reasonable to assume that Westbrook is overrun with hunters seeking permission. However, that is not the case in recent years. "I'm finding there's less and less hunters," in the area each fall, he said. "They're afraid to even stop and ask."

Human nature often follows the path of least resistance and some hunters who encounter posted land tend to continue searching for either public land, or private land that is not posted. When a sign goes up, hunters who previously had uncomplicated access to that land assume an erosion of hunting opportunities. That's not always the case, but the perception remains and it's been that way since the first farmer tacked to a fence post a sign that said – or meant – "No Hunting."

A Part of Hunting History

Access to land, whether it's public or private, has received considerable attention over the past year, but it's not a new issue. Consider this from the November 1931 issue of *North Dakota OUTDOORS*: "Hunters should be courteous in their contacts with the owners of land in areas where hunting will be permitted. One heedless and uncivil act on the part of a hunter may prejudice a farmer land-owner against all sportsmen as a class. The posting of property against hunting has been largely brought about by thoughtless and selfish hunters who have violated every moral right while hunting on farmers' property."

In February 1937 another mention: "Sportsmen resented having favorite hunting grounds posted and farmers resented the lack of consideration observed by some sportsmen toward property rights of the landowner and renter."

These are two of the first references to land posting in the 71-year history of the magazine. Many others follow. Most of them relate to posting in response to unbecoming hunter behavior. The underlying theme is that many landowners who post their land still allow hunting, they just want to control the terms of access, as is the right of every property owner, rural or urban.

Since the early 1990s, an increasing number of landowners have put up signs of a different sort – those that advertise hunting access for a fee, or that access to the land has been leased for a fee. This is another prerogative of land ownership, and it is not a new concept either.

"There's no question, if you can find them (the landowner), it's better to talk to them face to face…"

"In my locality we were faced for the first time this fall with a group of landowners having formed a block in some of the choicest hunting land, and charging a $25 fee to hunt on it," wrote R.J. Christiansen of Marmarth in the November 1959 issue of *North Dakota OUTDOORS*. "It is true that some of them have suffered property damage from careless hunters, so their attitude toward public hunting is partially justified."

Ten years before that, in the September 1949 issue, a Massachusetts man, Martin Bovey, wrote an article asking "Why So Much Posting?" Bovey, apparently an annual visitor to North Dakota, related an incident in which a farmer pleaded with him to put up "No Hunting" signs around his place in return for exclusive access to a popular duck slough. Bovey had to explain that he already had a lease on a duck slough, but the farmer wasn't looking for money. Bovey had simply proven himself trustworthy in previous visits to the farm.

While leasing of hunting rights and access fees have been around for decades, these practices were less prevalent 50 years ago. Hunters who encountered one good-looking spot that was off limits could just drive on down the road and find a place that wasn't posted at all. In 2002, the situation is different. Hunters are concerned about the loss of opportunities, whether it relates to unposted land that has become posted, or posted land previously available by permission where access now requires some type of payment.

Call it a sign of the times. Finding places to hunt in some parts of the state for some species is often difficult for a stranger. In other places, access to private land remains relatively available. Hunters who recognize this factor, and temper their expectations accordingly, can still find places to go, regardless of the type of game they want to hunt, in a landscape marked by myriad signs with different meanings.

The Golden Rule Still Applies

Ten years ago, Lyle Westbrook authored a story for this magazine titled "The North Dakota Landowner: Are Considerate Hunters Still Welcome?" "Very much so," Westbrook wrote in September 1992.

In 2002 his outlook hasn't changed though perhaps half the landowners in his immediate area would now accept daily access or seasonal lease fees. Westbrook doesn't begrudge his neighbors the opportunity to make extra income from their land. He likely could, too. "I've had people stop in who expected to pay," he said, adding that such an arrangement just isn't right for him. "I guess I'm still part of the old school," he related, adding that if parents don't have a place to hunt, they won't take their kids hunting, and when that happens, the tradition suffers.

While Westbrook doesn't expect money, he does expect courtesy and fair treatment. Those same expectations are shared by landowners across the state. He wants to meet prospective hunters face to face the first time they ask permission. If a second trip is possible, a phone call the day before a hunt might be sufficient. "Then no longer are they a stranger," Westbrook noted. Hunters, even those who are known by landowners, should always make a contact ahead of time to make sure the land is available the day they want to hunt.

"There's no question, if you can find them (the landowner), it's better to talk to them face to face," relates Todd Foss, a Fargo resident and life-long hunter. Foss does this consistently, especially before an opening day. "After the hunt we try to contact the owners again to thank them, tell them how we did, and perhaps offer them some game or a small gift. Once you establish this personal relationship, you'll have an 'in' if you want to hunt that land again."

Hunters should also be able to accept "no" for an answer without resentment. Hunters who think that farmers and ranchers owe them an opportunity to hunt will be less successful in finding places to go. "I don't care for that attitude," says Les Lelm, a McLean County farmer/rancher, and fortunately, he doesn't encounter it very often. Duck hunters, especially, have "always been about as

polite of people as I've ever met," Lelm said. "I've never turned down anybody that came and asked to hunt. The reason I post is so I know who's out there."

Landowners have any number of good reasons why a particular day or piece of land is not available. Perhaps friends or relatives are coming. Maybe the rancher is moving cattle in the area, or still harvesting. Maybe the landowner wants to hunt himself. Don't worry about it, Westbrook suggests. Ask if another day or another area is possible. As a potential guest, hunters should expect to accommodate the landowner's wishes, not the other way around.

Gary Melby agrees. Melby, along with his son, operates a grain farm near Bowbells in north central North Dakota, a popular waterfowl hunting area. He also serves on the North Dakota Game and Fish Department District Advisory Board and is an active hunter. "Some people get turned down one place and then they get sore and don't ask at the next place," Melby said.

A more productive tact, he added, would be to allot enough time to allow for making more contacts. "You have to build acquaintances and it always works out," he said.

As a hunter, Melby has such an acquaintance in southwestern North Dakota, where he is able to hunt pheasants every year. A key to maintaining that relationship, he said, is to consult the landowner before the season to find out a convenient time to plan a trip, rather than just showing up on opening day, or the evening before opening day, and hoping the land is available as it has been in the past.

As landowners, Melby says he and his son don't post any of their land, which is mostly grain stubble that hunters use for decoying geese, and potholes that duck hunters use. The same is true for many landowners in the area, he said, and even those who do post hardly ever turn anyone down, unless there's a special circumstance.

In North Dakota, since it is legal to enter unposted land without permission, many hunters do just that. Melby says he doesn't mind, but he always appreciates when hunters stop in to ask first. "It's just nice to know who's out there," he said.

If hunters can find the owners of unposted land, which is sometimes a challenge, asking first is a good way to establish one of those acquaintances Melby mentioned. Consider Martin Bovey's story referenced earlier. The farmer trusted Bovey to hunt on land he was going to post to everyone else, because Bovey had taken the time to stop, ask permission and become a familiar face when the land wasn't posted.

Similar situations exist today. Hunters who take the time to find landowners and ask permission to hunt on unposted land, will not be strangers if the landowner chooses to post the land in the future.

Along the same line, Melby said, word travels in small communities. Hunters who treat landowners with respect will develop a reliable reputation and may eventually find other open doors.

"Treat others the way you want to be treated," it's that simple, Westbrook added. "Treat them (landowners) right and you'll have a place to go hunting."

That's an easy enough concept to understand and put into practice, but hunters need to realize that not every parcel of private land is available to those who ask. Potential for access depends on timing during the season, and species. A landowner who charges a fee for pheasant hunting on opening weekend might welcome a turkey hunter later in the year. Someone who posts land for the traditional family deer hunt on opening weekend might allow guests later in the season.

Finding the right place at the right time is seldom easy. Eric Odegaard, Enderlin, likes to hunt ducks and geese in the southeast and near his hometown of Rugby in north central North Dakota.

Odegaard is like a lot of North Dakota hunters who move around looking for opportunities, rather than always hunting the same ground. He often searches for isolated pockets of undisturbed birds, a strategy that sometimes leads to exceptional hunts. It also means contacts with numerous landowners, and potential competition with other hunters looking for the same thing.

In recent years, Odegaard says, the competition has increased and it's more difficult to find those out-of-the-way spots that no one has yet discovered. They do exist, however, and the rewards usually go to the hunters willing to put forth the most effort. "You've got to do your homework," Odegaard stressed. "You have to do the miles and the time…. Some days it takes hundreds of miles. It does for me, even in southeast North Dakota."

DON'T BE AFRAID TO ASK. Driving up to a farm "cold" is not always an easy thing to do. However, it is necessary if hunters want to expand opportunities beyond unposted or public land.

Opportunities for hunting on private land have changed in the last 10 years, and will continue to evolve. The same issues debated 70 years ago will likely be around well into the future.

Government agencies like the Game and Fish Department are developing new programs that increase public access to private land, but hunters must continue to try to establish their own contacts. Fifty-three years ago Martin Bovey wrote: "Regardless of public shooting grounds North Dakota may eventually acquire, it is quite certain that for many years to come the average man will get the bulk of his hunting on farmer-owned land."

That statement remains true today. With the right attitude and the right approach, hunters can still find the experiences they seek. As another fall approaches, it's not too early to start the search.

__CRAIG BIHRLE__ is the Game and Fish Department's communications supervisor.

5 Rules for Improving Access Opportunities

They don't always work, but ignore them and few doors will open.

1. Plan ahead and set reasonable expectations.
2. DON'T BE AFRAID TO ASK. Driving up to a farm "cold" is not always an easy thing to do. However, it is necessary if hunters want to expand opportunities beyond unposted or public land.
3. Accept "No" graciously; find out if another day might be better.
4. Strive to meet landowners even if the land you want to hunt isn't posted; arrange a personal meeting, rather than relying on a phone call.
5. Honesty and courtesy are vital.